**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**Cr.Misc. No.43991 of 2008**
**RAJESH KUMAR TIWARY, SON OF LATE RADHAKANT TIWARY, RESIDENT OF VILLAGE-TIWARI CHAKIA, P.S.BHOREY, DISTRICT-GOPALGANJ**
**---------- PETITIONER**

**Versus**

**STATE OF BIHAR**
**---------- OPPOSITE PARTY**

**----------**

**02/ 25-11-2008** Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner is an accused in a case under Section 414 of the Indian Penal Code and 25(1-B) (a), 26 and 35 of the Arms Act and he was apprehended with stolen motorcycle and loaded country made pistol along with others who have also been named in the F.I.R.

It is submitted on behalf of the petitioner that the allegation under Section 414 is absolutely misconceived as the motorcycle in question has since been released in favour of his younger brother Surendra Tiwary son of Late Radhakant Tiwary. It is also submitted that besides the present case he is not accused in any other case.

WEB COPY NOT OFFICIAL

Appreciating the aforesaid submission, petitioner's antecedent be verified by the court below and if found correct then he (Rajesh Kumar Tiwary) be released on bail on furnishing bail bond of Rs. 5000/-(rupees five thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gopalganj in connection with Kateya P.S. Case No. 93 of 2008, Trial No. 3210 of 2008.

**S.Sb/-** **(V.N. Sinha, J.)**

WEB COPY
NOT OFFICIAL